

**MEETING ASSISTANCE NOTICE - AMERICANS WITH DISABILITIES ACT**

In accordance with the Americans with Disabilities Act the following services are available to members of our community who require special assistance to participate in City Council and Redevelopment Agency meetings. If you require, American Sign Language interpreters, a reader during the meeting, and/or large print agendas, to make arrangements, please call: **Office of the City Clerk (714) 536-5227**.

To make arrangements for an assisted listening system (ALD) for the hearing impaired, please contact: the **Sergeant at Arms (714) 960-8806** or the **City Clerk (714) 536-5227**.

*72 hours prior notification will enable the city to make reasonable arrangements to ensure accessibility to a meeting.*

**ACTION  
AGENDA**

**CITY COUNCIL/REDEVELOPMENT AGENCY  
CITY OF HUNTINGTON BEACH**

**MONDAY, JANUARY 7, 2002**

5:00 P.M. - Room B-8  
7:00 P.M. - Council Chambers  
Civic Center, 2000 Main Street  
Huntington Beach, California 92648

**5:00 P.M. - Room B-8**

**Call City Council/Redevelopment Agency Meeting To Order**

**Roll Call** Dettloff, Bauer, Cook, Houchen, Green, Boardman

***Present – Houchen absent***

**Councilmember Houchen has requested to be absent from the meeting.**

**Public Comments Regarding Study Session and Closed Session Agenda Items**

***None***

**(City Council/Redevelopment Agency) Study Session – Presentation by Community Services Director Ron Hagan of an Overview of Priority Projects and Staffing of the Community Services Department ( . )**

Community Services Director Ron Hagan will present an overview of priority projects and staffing for the department.

**\*\*Communication from the Community Services Department is available for public review at the City Clerk's Office on the following subjects:**

- A. Update on South Beach Phase II Lifeguard & Jr. Lifeguard Headquarters.
- B. Update on Community Services Projects & Workload.
- C. Update on Issues with Pier Head Line Enforcement & Huntington Harbour Dredging.

***Oral presentation by Community Services Staff – Community Services Director Hagan, Deputy Director Engle and Senior Recreation Supervisor Dominguez***

**COMPUTER INTERNET ACCESS TO CITY COUNCIL/REDEVELOPMENT AGENCY  
AGENDAS IS AVAILABLE PRIOR TO CITY COUNCIL MEETINGS**

***<http://www.ci.huntington-beach.ca.us>***

**Call Closed Session of City Council/Redevelopment Agency**

**Recommended Action:** Motion to recess to Closed Session on the following items:

***Approved 5-0-1 (Houchen absent)***

1. **(City Council) Closed Session** – Pursuant to Government Code Section 54957.6 to meet with its designated representatives, Agency Negotiators: William Workman, Assistant City Administrator; William Osness, Personnel Director; Clay Martin, Director of Administrative Services; Richard Whitmore, Esq. of Whitmore, Johnson & Bolanos; and Steven M. Berliner, Esq. of Liebert, Cassidy and Frierson regarding **labor relations matters – meet and confer** with the following employee organizations: **HBMEA, HBMEO, HBFMA and HBPMA**. Subject: **Labor Relations – Meet & Confer**. (120.80)
2. **(City Council) Closed Session** – Pursuant to Government Code Section 54956.9(a) to confer with its attorney regarding pending litigation which has been initiated formally and to which the city is a party. The title of the litigation is **Brindle/Thomas v. City of Huntington Beach**, Orange County Superior Court Case No. 750203. Subject: **Brindle/Thomas v. City of Huntington Beach**. (120.80)
3. **(City Council) Closed Session** – Pursuant to Government Code Section 54956.9(a) to confer with its attorney regarding pending litigation which has been initiated formally and to which the city is a party. The title of the litigation is **Ed Blackford v. Connie Brockway**; Orange County Superior Court Case No. 01CC15111. Subject: **Ed Blackford v. Connie Brockway**. (120.80)

The City Council and the Redevelopment Agency of the City of Huntington Beach will regularly convene in joint session for the purpose of considering the following City Council-Redevelopment Agency Agenda Items.

The Huntington Beach Parking Authority, Civic Improvement Corporation, and the Huntington Beach Public Financing Authority are also agencies on which Council serves as members. On each Agenda these Agencies may have items scheduled.

**7:00 P.M. - Council Chambers**

**Reconvene City Council/Redevelopment Agency Meeting**

- \*\* The City Attorney Shall Determine If Any Actions Taken By The City Council or Redevelopment Agency In Closed Session Shall Require A Reporting On Those Actions As Required By Law (Government Code §54957.1(a) (3) (B)).**

***City Attorney reported out that on Monday, January 7, 2002 the City Council convened in closed session to discuss the matter of Brindle/Thomas v. City of Huntington Beach, OCCSCC No. 750203.***

***The City Council voted to 1) Approved Settlement as set forth in the Settlement Agreement; and 2) Authorize the Mayor and the City Clerk to attest to the Agreement.***

***The Council voted 4 to 0 with Mayor Cook and Councilmember Houchen absent at vote.***

**Roll Call** Dettloff, Bauer, Cook, Houchen, Green, Boardman

***Mayor announced Councilmember Houchen has requested to be absent from the meeting.***

***Present – Houchen absent***

**Flag Ceremony and Pledge of Allegiance** – Boy Scout Troop 568, Community United Methodist Church, Huntington Beach. Scoutmaster Rick Dadamo.

**Invocation**— Rabbi Berkowitz, Congregation Adat Israel of Huntington Beach.

**Pursuant to the Brown Act (Open Meetings Act) the City Clerk Announces Late Communications Received by Her Office Which Pertain to Items on the Agenda**

**(1)** Copies of late communications submitted by City Councilmembers or City Departments are available for the public at the City Clerk's desk. **(2)** Late communications submitted by members of the public will be made available to the public at the City Clerk's Office the morning after the Council meeting.

***Late Communications announced on C-2a; E-4; E-5; E-6; E-7 and E-9***

**Presentation** – By Mayor Debbie Cook and Police Chief Ronald Lowenberg, to Huntington Beach Police Lieutenant Luis Ochoa who is retiring after 37 years of service to the Huntington Beach Police Department, and who has not taken a sick day in the past 33 years. (160.40)

**Presentation** – By Mayor Debbie Cook and Police Chief Ronald Lowenberg, to two New York Port Authority Police Department members, Sergeant Kevin Devlin and Officer Tom Kennedy, who have both been working at *Ground Zero* in New York since September 11, 2001, and who acted as hosts for 12 members of the Huntington Beach Police Department who visited *Ground Zero* in December 2001. (160.40)

**B. PUBLIC COMMENTS**

The City Council welcomes public comments on all items on this agenda or of community interest. We respectfully request that this public forum be utilized in a positive and/or constructive manner. Please focus your comments on the issue or problem that you would like to bring to the attention of the City Council.

**This is the time to address Council regarding items of interest or on agenda items OTHER than Public Hearings.**

3 minutes per person, time may not be donated to others.  
No action can be taken by Council/Agency on this date unless agendized.

*Complete the attached pink form and give to the Sergeant-At-Arms located near the speaker's podium*

- (1) Grand Jury representative spoke re: Grand Jury selection process and asked for members of the community to apply (714) 834-5555.**
- (2) Speakers informed Council of their support for appointment of Ron Davis to fill vacancy of Council.**
- (3) Speakers in opposition to Council Election Measure "W" – El Toro site for Park Use.**
- (4) Mobilehome residents opposed to Measure EE – Real Property Rights Measure.**
- (5) Speaker regarding need for opposition to County Sanitation District being granted a 301 (H) waiver of Federal Clean Water Act.**
- (6) Speakers stating support for Bill Borden to be appointed to Council vacancy.**
- (7) Speaker opposed to Measure "W" – El Toro site for Park Use.**
- (8) Speaker opposed to Sacramento based Redevelopment Association and opposed to City Measure EE.**

**C-1. Council Committee/Council Liaison Reports****C-1a. (City Council) Approve Revision to Council Liaison Committee Appointments Approved on 12/17/2001 by Appointing Mayor Pro Tem Ralph Bauer and Councilmember Pam Houchen to the Public Cable Television Authority (PCTA) Council Committee ( . )**

Communication from Mayor Debbie Cook transmitting the following: After the City Council appoints a new member to the Council, I will be updating the listing of Council liaison appointments previously approved on December 17, 2001. However, until that time, I would like to update the listing on the Public Cable Television Authority (PCTA).

**Recommended Action:**

Appoint City Council member Pam Houchen to the Public Cable Television Authority (PCTA) and Mayor Pro Tem Ralph Bauer as the alternate.

***Approved 5-0-1 (Houchen absent)***

**C-2. Assistant City Administrator's Report****C-2a. (Assistant City Administrator's Report) Department Spotlight on the Beach Boulevard Median Landscape Improvements Made by the Public Works Department ( . )**

A presentation will be given by the Public Works Department summarizing the new landscape improvements to the Beach Blvd medians.

***Report presented by Public Works Director.***

**D-1. (City Council) Public Hearing - None**

### **E. CONSENT CALENDAR**

All matters listed on the Consent Calendar are considered by the City Council and Redevelopment Agency to be routine and will be enacted by one motion in the form listed.

**Recommended Action:** Approve all items on the Consent Calendar by affirmative roll call vote.

- E-1. (City Council/Redevelopment Agency) Minutes** - Approve and adopt the minutes of the City Council/Redevelopment Agency Regular Meetings of December 3, 2001 and City Council Special Meeting of December 13, 2001 as written and on file in the Office of the City Clerk. Submitted by the City Clerk.

***December 3, 2001 minutes – Approved and Adopted 5-0-1  
(Houchen absent)***

***December 13, 2001 minutes – Approved and Adopted 4-0-1-1  
(Dettloff abstain; Houchen absent)***

- E-2. (City Council) Approve Final Tract Map No. 16192 of Tentative Tract Map No. 16192 with Bonds and Agreements – Approve Subdivision Agreement (Mystic Pointe) – Lennar Homes (Palm-Goldenwest Specific Plan No. 12) – s/s Palm Avenue – w/o Goldenwest Street ( . )** – 1. Approve Final Tract Map No. 16192 and accept the offer of dedication, improvements, and bonds pursuant to findings and requirements (Attachment No. 1): **Findings for Acceptance of Final Map:** 1. Final Tract Map No. 16192 is in conformance with the California Subdivision Map Act, the City of Huntington Beach Subdivision Ordinance and Tentative Tract Map No. 16192 conditions of approval as approved by the Planning Commission. **Requirements:** 1. Offer of dedication and improvements are subject to completion of requirements shown on the tentative map. 2. The City Clerk is hereby instructed to file bonds with the City Treasurer: **a.** Faithful Performance Bond No. 111 3359 9149 as presented in Attachment No. 6; **b.** Labor and Material Bond No. 111 3359 9149 as presented in Attachment No. 6; **c.** Monument Bond No. 111 3359 9156 as presented in Attachment No. 6. 3. Instruct the City Clerk not to affix her signature to the map nor release it for preliminary processing by the County of Orange for recordation until the following conditions have been complied with for the map: **a.** A deposit for fees for water, sewer, drainage, engineering, and inspections shall be provided; **b.** A Certificate of Insurance shall be submitted; **c.** Drainage for the subdivision shall be approved by the Department of Public Works prior to recordation of the final map; **d.** An approved Subdivision Agreement titled *Subdivision Agreement by and between the City of Huntington Beach and Lennar Homes of California, Inc., for Tract No. 16192*, authorized for execution by the Mayor and City Clerk shall be submitted (Attachment No. 5). **e.** Parkland Dedication. Submitted by the Planning Director. Funding Source: Not Applicable.

***Approved 5-0-1 (Houchen absent)***

- E-3. **(City Council) Accept the Water Wells 3A and 5A Projects, CC-1114 and 1059, and File a Notice of Completion – Schuler Engineering, Inc. ( . )** – Accept the Water Wells 3A and 5A Projects, CC-1114 and 1059 at a final cost of \$2,224,342.41, and authorize the City Clerk to file a Notice of Completion with the County Recorder's Office. Submitted by the Public Works Director. Funding Source: Water Capital Improvement Funds.

***Approved 5-0-1 (Houchen absent)***

- E-4. **(City Council) Adopt Resolution No. 2002-1 – To Modify Salary and Certain Benefits for Non-Represented Employees ( . )** – Approve and adopt **Resolution No. 2002-1** – “A Resolution of City Council of the City of Huntington Beach Modifying Salary and Benefits for Calendar Years 2001 and 2002 for Non-Represented Employees.” Submitted by the Administrative Services Director. Funding Source: Funding included in FY 01/02 budget.

***Adopted 5-0-1 (Houchen absent)***

- E-5. **(City Council) Adopt Resolution No. 2002-2 – To Modify Salary and Certain Benefits for the Elected City Attorney ( . )** – Approve and adopt **Resolution No. 2002-2** – “A Resolution of the City Council of the City of Huntington Beach Modifying Benefits and Salary for Calendar Year 2002 for the Elected City Attorney.” Submitted by the City Attorney. Funding Source: Funding included in FY 01/02 budget.

***Continued to January 22, 2002 – 5-0-1 (Houchen absent)***

- E-6. **(City Council) Adopt Resolution No. 2002-3 – To Modify Salary and Certain Benefits for the Elected City Clerk ( . )** – Adopt **Resolution No. 2002-3** – “A Resolution of the City Council of the City of Huntington Beach Modifying Benefits and Salary for Calendar Year 2002 for the Elected City Clerk.” Submitted by the City Clerk. Funding Source: Funding included in FY 01/02 budget.

***Continued to January 22, 2002 – 5-0-1 (Houchen absent)***

- E-7. **(City Council) Adopt Resolution No. 2002-4 – To Modify Salary and Certain Benefits for the Elected City Treasurer ( . )** – Adopt **Resolution No. 2002-4** – “A Resolution of the City Council of the City of Huntington Beach Modifying Benefits and Salary for Calendar Year 2002 for the Elected City Treasurer.” Submitted by the City Treasurer. Funding Source: Funding included in FY 01/02 budget.

***Continued to January 22, 2002 – 5-0-1 (Houchen absent)***



- E-8. **(Redevelopment Agency) Approve as to Form the Office Space Lease Between Abdelmuti Development Company and Norman Weaver, Jr. and Barbara Weaver – Oceanview Promenade, Suite No. 220 – (Main-Pier Redevelopment Project Area)** ( . ) – Approve as to form the *Office Space Lease* between Abdelmuti Development Company and Norman Weaver, Jr. and Barbara Weaver for a 3-year term – February 1, 2002 to January 31, 2005. Submitted by the Director of Economic Development. Redevelopment Tax Increment (Approval as to form required by Owner Participation Agreement between the Agency and Abdelmuti Development Company).  
***Approved 5-0-1 (Houchen absent)***
- E-9. **(City Council) Adopt Resolution No. 2002-5 – Revisions to Fees for Documents Charged by Office of the City Clerk** ( . ) – Adopt **Resolution No. 2002-5** – “A Resolution of the City Council of the City of Huntington Beach Amending Resolution No. 5159 Entitled, ‘A Resolution of the City Council of the City of Huntington Beach Establishing a City Fee Schedule’ as to Charges for Copies of Official Documents on File in the Office of the City Clerk (Supplemental Fee Resolution No. 85).” Submitted by the City Clerk. (Fee reduction for document copies; fee increase for City Historical Book; deletion of fee for copy of City Charter and document certification.) Fiscal effect: Negligible.  
***Adopted 5-0-1 (Houchen absent)***
- E-10. **(City Council) Approve Amendment to Contract Between the City and the U.S. Department of Health and Human Services for Development of Metropolitan Medical Response System (MMRS) Program** (600.15) – Approve and authorize the Fire Chief/Information Systems Director to execute the Amendment to the United States Department of Health and Human Services 18-month *Contract No. 233-01-0057* in the amount of \$200,000 for development of a Metropolitan Medical Response System (MMRS). Submitted by Fire Chief/Information Systems Director. Funding Source: The U.S. Department of Health and Human Services is offering the City of Huntington Beach an additional \$200,000 in funding for administration of the program, equipment purchases and medical supplies to manage Weapons of Mass Destruction (WMD) incidents. This funding is in addition to the original \$400,000 provided by the DHHS. It will be deposited into the Metropolitan Response System Revenue Account. No General Fund expenditures or matching funds are required.  
***Approved 5-0-1 (Houchen absent)***

**F. Administrative Items****F-1. (City Council) Approve Professional Service Contract with Brian A. Stirrat & Associates (BAS) for the Southeast Reservoir Site Acquisition from AES Huntington Beach Development Inc. - Environmental Assessment and Preliminary Geotechnical Evaluation, CC-1175 ( . )**

Communication from the Public Works Director regarding the following: The city has an Option Agreement with AES Huntington Beach Development, Inc. to purchase one of two possible parcels at the AES generating facility for the purpose of constructing a 10 million gallon water reservoir and booster pumping station. The Option Agreement with AES is expressly understood to be in an "as is" condition.

Professional services are required to evaluate each of the sites for hazardous materials, estimate the cost of demolition and remediation, perform Geotechnical evaluations, determine encumbrances and restrictions on the property, and estimate the cost risk for the city to purchase either of the sites. Funding Source: \$106,000 Water Master Plan Fund Account.

*\*\*PowerPoint presentation titled Southeast Reservoir Site Acquisition - Environmental Assessment and Preliminary Geotechnical Evaluation.*

**Recommended Action:** Motion to:

1. Approve the *Professional Services Contract between the City of Huntington Beach Bryan A. Stirrat & Associates to provide an Environmental Assessment and Preliminary Geotechnical Evaluation for the Southeast Reservoir Site* and authorize execution by the Mayor and City Clerk;

**and**

2. Authorize the Director of Public Works to expend up to \$106,000 to cover contract costs of \$94,000, an estimated contingency of \$10,000 and supplemental expenditures of \$2,000 for agency permit fees and related expenses.

***Principal Civil Engineer Rulla presented slide report***

***Approved #1 and #2 – 5-0-1 (Houchen absent)***

**F-2. (City Council) Receive and File Councilmember Dave Garofalo's Letter of Resignation from the City Council - Determine Procedure to Fill Vacancy Pursuant to Huntington Beach City Charter Section 312 ( . )**

Communication from the City Clerk transmitting that the Huntington Beach City Charter provides that a vacancy on the City Council shall be filled by appointment by the City Council. Section 312 of the City Charter sets forth the following:

**Section 312. VACANCIES, FORFEITURES AND REPLACEMENT.**

- (a) **Vacancies.** A vacancy in the City Council or in any other office designated as elective by this Charter, from whatever cause arising, shall be filled by appointment by the City Council.
- (c) **Replacement.** In the event it shall fail to fill a vacancy by appointment within sixty days after such office shall become vacant, the City Council shall forthwith cause an election to be held to fill such vacancy for the remainder of the unexpired term.

On December 21, 2001 Councilmember Garofalo submitted a letter to the City Clerk submitting his resignation effective on December 26, 2001.

The vacancy on the City Council must be filled no later than Sunday February 24, 2002.

Also transmitted is a report from the City Clerk outlining the procedure that was implemented by Council at the time of the last vacancy on the City Council (1995).

**Recommended Action:** Motion to:

1. Receive and File Letter of Resignation from Councilmember Dave Garofalo;

***Approved 5-0-1 (Houchen absent)***

and

2. Determine a Procedure for Council to Fill the Council Vacancy

***(1) Applications available at City Clerk's Office at 10:00 a.m., January 8, 2002.***

***(2) Mayor Pro Tem Bauer appointed to receive from each City Councilmember a list of questions for applicants by January 22, 2002.***

***(3) Applications due on Friday, January 25, 2002 at 4:00 p.m. at City Clerk's Office.***

***(4) Interviews scheduled beginning January 28, 2002 at 2:00 p.m. at Adjourned Council Meeting -- Interviews to be continued if necessary to January 29, 2002 at 5:00 p.m.***

***(5) Selection and Appointment to Council vacancy to be made Friday, February 1, 2002 at 1:00 p.m. at Adjourned Council Meeting.***

**G. Ordinances**

**G-1. Ordinances for Adoption**

- G-1a. (City Council) Adopt Ordinance No. 3533 – To Rezone Real Property on the North Side of Yorktown Avenue, West of Ranch Lane – (2134 Main Street ) – Sunrise Assisted Living – (Wayne Sant-Sunrise Development, Inc.) (Zoning Map Amendment No. 01-02) ( . )**

**Recommended Action:**

After City Clerk reads by title, adopt **Ordinance No. 3533** – “An Ordinance of the City of Huntington Beach Amending the Huntington Beach Zoning and Subdivision Ordinance by Establishing a Public Semipublic (PS) Zoning Designation on Real Property Located on the North Side of Yorktown Avenue, West of Ranch Lane (Zoning Map Amendment No. 01-02).”

***Adopted 5-0-1 (Houchen absent)***

- G-1b. (City Council) Approve Adoption of Ordinance Nos. 3520 through 3532 Inclusive – Amending 13 Chapters of the Huntington Beach Zoning and Subdivision Code and Sections of the Downtown Specific Plan – (City Wide Entitlement Permit Review Process Streamlining) (Zoning Text Amendment No. 01-04) ( . )**

**Recommended Action:**

After City Clerk reads by titles, adopt the following **Ordinance Nos. 3520 through 3532** by roll call vote:

**Ordinance No. 3520** – “An Ordinance of the City of Huntington Beach Amending the Huntington Beach Zoning and Subdivision Ordinance by Amending **Chapter 203** Thereof Relating to **Definitions**,” and

**Ordinance No. 3521** – “An Ordinance of the City of Huntington Beach Amending the Huntington Beach Zoning and Subdivision Ordinance by Amending **Chapter 204** Thereof Relating to **Use Classifications**,” and

**Ordinance No. 3522** – “An Ordinance of the City of Huntington Beach Amending the Huntington Beach Zoning and Subdivision Ordinance by Amending **Chapter 211C** Thereof Relating to **Commercial Districts**,” and

**Ordinance No. 3523** – “An Ordinance of the City of Huntington Beach Amending the Huntington Beach Zoning and Subdivision Ordinance by Amending **Chapter 212** Thereof Relating to **Industrial Districts**,” and

**Ordinance No. 3524** – “An Ordinance of the City of Huntington Beach Amending the Huntington Beach Zoning and Subdivision Ordinance by Amending **Chapter 214 PS** Thereof Relating to **Public-Semipublic District**,” and

**Ordinance No. 3525** – “An Ordinance of the City of Huntington Beach Amending the Huntington Beach Zoning and Subdivision Ordinance by Amending **Chapter 230** Thereof Relating to **Site Standards**,” and

(Continued on Next Page)

**Ordinance No. 3526** – “An Ordinance of the City of Huntington Beach Amending the Huntington Beach Zoning and Subdivision Ordinance by Amending **Chapter 231** Thereof Relating to **Off-Street Parking and Loading Provisions;**” and

**Ordinance No. 3527** – “An Ordinance of the City of Huntington Beach Amending the Huntington Beach Zoning and Subdivision Ordinance by Amending **Chapter 233** Thereof Relating to **Signs;**” and

**Ordinance No. 3528A** – “An Ordinance of the City of Huntington Beach Amending **Chapter 236** of the Huntington Beach Zoning and Subdivision Ordinance Relating to **Nonconforming Uses and Structures;**” and

**Ordinance No. 3528B** – “An Ordinance of the City of Huntington Beach Amending the Huntington Beach Zoning and Subdivision Ordinance by Amending **Chapter 241** Thereof Relating to **Various Use Permits and Waiver of Development Standards;**” and

**Ordinance No. 3529** – “An Ordinance of the City of Huntington Beach Amending the Huntington Beach Zoning and Subdivision Ordinance by Amending **Chapter 244** Thereof Relating to **Design Review;**” and

**Ordinance No. 3530** – “An Ordinance of the City of Huntington Beach Amending the Huntington Beach Zoning and Subdivision Ordinance by Amending **Chapter 250** Thereof Relating to **General Provisions;**” and

**Ordinance No. 3531** – “An Ordinance of the City of Huntington Beach Amending the Huntington Beach Zoning and Subdivision Ordinance by Amending **Chapter 257** Thereof Relating to **Mergers;**” and

**Ordinance No. 3532** – “An Ordinance of the City of Huntington Beach Amending the Huntington Beach Specific Plan Relating to the **Downtown Parking Master Plan.**”  
**Adopted 5-0-1 (Houchen absent)**

**G-2. Ordinance for Introduction**

**G-2a. (City Council) Approve Introduction of Ordinance No. 3534 Adding Chapter 5.71 to the Municipal Code Relating to the Escort Ordinance ( . )**

( . ) – **Ordinance No. 3534** - “An Ordinance of the City of Huntington Beach Adding Chapter 5.71 to the Huntington Beach Municipal Code Pertaining to Escort Services.”  
Submitted by the Chief of Police.

**Recommended Action:** After City Clerk reads by title, approve introduction of **Ordinance No. 3534**, by roll call vote.

**Continued to January 22, 2002 – 5-0-1 (Houchen absent)**

**H. City Council/Redevelopment Agency Items****H-1a. Submitted By Mayor Pro Tem Ralph Bauer****(City Council) Prepare Possible Response to the 12/21/2001 Newspaper Editorial in the Orange County Register Re: the City's Infrastructure Program and the Howard Jarvis Property Tax Lawsuit ( . )**

Communication from Mayor Pro Tem Ralph Bauer transmitting the following **Statement of Issue:** On December 21, 2001, the Orange County Register published an editorial, titled *Hard Sell in H.B.*, that was highly critical of the City of Huntington Beach. A copy of that editorial is enclosed. I have also enclosed some thoughts that are in the nature of a point-by-point response to that editorial.

Since the Register is the newspaper of largest circulation in Orange County and has substantial influence, it would seem appropriate for the Huntington Beach Council to make some sort of a response. There are some who say that because a newspaper always has the last word and they purchase ink by the barrel, any response to inappropriate allegations is a waste of time. On the other hand, my experience suggests that a lack of response is much like that which gives the schoolyard bully his power. The bully will continue until someone with enough courage, strength, and resolve challenges him. I am not sure that we have yet seen anyone with those traits to deal with the bullying tactics of the Register. Perhaps this Council has these traits and can strike a blow on behalf of all 34 cities of Orange County. Perhaps the Register will continue their bullying towards local government without opposition.

**Recommended Action:**

It thus seems we have at least three alternatives and I would be happy to make the appropriate motion at Council direction:

~~1. Do nothing;~~

~~Or~~

~~2. Appoint a Council Committee to draft a response, signed by the full Council, to the Editorial Board of the Register in the hopes they will publish it;~~

~~Or~~

3. Request a meeting with the Editorial Board of the Register to discuss the issues they present.

***Council approved by unanimous consent (Houchen absent) to direct Public Information Office to meet periodically with Editorial Board***

**Council Comments - (Not Agendized)**

At this time Councilmembers may report on items not specifically described on the agenda which are of interest to the community. No action or discussion may be taken except to provide staff direction to report back or to place the item on a future agenda.

**Council/Agency Adjournment** to ***Tuesday, January 22, 2002***, at 5:00 p.m., in Room B-8, Civic Center, 2000 Main Street, Huntington Beach, California.

Council/Agency Agendas and Minutes are Available at No Charge to the Public at the City Clerk's Office by Mail and Through Paid Subscription. Complete Agenda Packets are Available at the Central Library and Library Annexes on Friday Prior to Meetings. Video Tapes of Council Meetings are Available for Checkout at the Central Library at No Charge.

**CONNIE BROCKWAY, CITY CLERK  
City of Huntington Beach  
2000 Main Street - Second Floor  
Huntington Beach, California 92648**

**Internet: <http://www.ci.huntington-beach.ca.us>**